



## Ryan White Title I HIV Health Services Planning Council

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### PLANNING COUNCIL MEETING MINUTES

Thursday, August 12, 2004  
4:00 p.m. to 6:00 p.m.  
Maricopa Medical Center  
2601 E. Roosevelt Street

**Approved**

*The following provides a written summary of the minutes recorded. To listen to the official recorded minutes, contact Planning Council Support. The tape(s) will be provided for review.*

#### MEMBERS, GUESTS and STAFF

Marc Allan	Randall Furrow	Gregg Levendoski	Larry Stahli
Elizabeth Ashby	George Garcia	Joshua Mason	Louie Tapia
Shantel Artley	Fran Garrett	Pedro Mena	Keith Thompson
Ellissa Babasick	Sharyn Grayson	Harvey Miller	Cynthia Trottier
Kimberley Bickes	Damon Gunn	Jose Moreno	Clarence Tucker
Lorraine Brown	Matthew Heil	John Murray	Jonathan Weisbuch
James Bryant	Brian Helander	Rosie C. Nunez	Carol Williams
David Butler	Barr Jenkins	Van Ornelas	Marla Wing
Juan Carrasco	Mark Kezios	David Paquette	Glen Spencer
Debby Elliott	Donna Koppe	Annette Quintana	Phil Seeger
Orlando Escobar	Helen Lansche	Tara Radke	
Erica Ferguson	Nova Lawson	Jim Reed	
Deborah Frusciano	Jen Leitch	John Sapero	

#### Absent:

Erica Avery (ex)	Michael Mangen (ex)	Eric Moore (ex)	Deborah Frusciano (ap)
Bob Bailly (ex)	Marti Cutler (ex)	John Wynant (ex)	
Lucio De La Rosa	Stephen O'Dell (ex)		
Yadira De La Rosa	Reginald Robinson		
Donna Bryant (ex)	Robert Horton (ex)		

*(ex = excused absence, ap = absent, alternate present)*

#### WELCOME, INTRODUCTIONS, and INFORMATIONAL ITEMS

Mark Kezios called the meeting to order at approximately 4:00 p.m., welcomed attendees and requested a roundtable introduction by everyone present.

Mark acknowledged that a Council member, Larry Fisher, had passed away. He stated:

"Last week, our Planning Council lost a member, a friend, and a personal inspiration for many of us. We were fortunate to have had the opportunity of seeing someone join the Council as a new member, actively

participate in Council activities, become a Chair, and make a significant impact in our community. At this time, we will have a moment of silence to remember Larry Fisher. God bless you, Larry, we will continue your mission.”

Mark asked everyone to please speak up during the meeting, so the interpreter would be able to hear them clearly. She would signal the membership if she needed them to speak louder.

## **DETERMINATION OR QUORUM AND REVIEW OF SUMMARY MINUTES**

It was announced that quorum was established.

Summary minutes from the meetings held on June 10<sup>th</sup>, 2004 and July 19<sup>th</sup>, 2004 were reviewed.

Debby Elliott stated that in July 19<sup>th</sup>'s minutes, in the Chair Update, under re-allocations, the wording should be changed from “it is easier to obtain approval for re-allocation of funding to non-governmental entities at the end of the contract year than any other time in the process” to “In order to use re-allocated funds at the end of the year more expeditiously, it's faster to do it through an inter-governmental agreement and use the money through those contracts, rather than to go through the procurement process with a non-government entity.”

Deborah Frusciano noted that she was not present at the June 10<sup>th</sup> or July 19<sup>th</sup> meeting; her alternate attended both meetings.

Tara Radke suggested that under the Chair Update of the July 19<sup>th</sup> meeting, it says Data Access and it's actually Unmet Need Update.

Nova Lawson noticed that, under the July 19<sup>th</sup> Administrative Agent Update, the dialog relating to a discussion about a grievance procedure is not included the minutes. She stated that she had requested a copy of the tape of the July 19<sup>th</sup> meeting, but understood that the tape malfunctioned that day. Mark explained that there was indeed a tape malfunction during that meeting and that Planning Council Support now takes notes during the meetings on the laptop – before we relied completely on the tapes. Nova asked that it be noted that the dialog is not included in the minutes.

Helen Lansche, John Murray, Randall Furrow, and Nova Lawson all had excused absences for June 10<sup>th</sup>'s meeting.

**MOTION:** Larry Stahl motioned to accept the minutes with the proposed changes.

**OUTCOME:** Motion passed.

## **ADMINISTRATIVE AGENT UPDATE**

David Paquette informed the Council that he still has not received the new application guidance. Generally, HRSA provides 90 days to complete the application once we receive the guidance. We were told the application would be due October 1<sup>st</sup>, which is probably not a possibility now. The good news is that we probably have more time for visioning, allocations, community planning and assessment, etc. We need to “turn up the heat” in our allocation process because we really need to know what we are going to propose next year, and we need to know what services we will need to start a procurement process for. He encouraged the allocations process to move forward quickly.

David also informed us that the Brian Hanna Award for Excellence had been awarded to Don Welsch at HIV Care Directions.

John Murray asked if we will be penalized because of the shortened timeframe for the grant. David responded that there will be a new schedule.

A guest asked about the needs assessment and allocations. Mark responded that this will be discussed later in the agenda.

## CHAIR UPDATE

- **Executive Meeting-** Quorum was not met. People in attendance were Donna Bryant, Mark Kezios, Larry Stahli, Eric Moore, John Saperro, and Acting Planning Council Support. They discussed the HRSA visit and agreed that the Planning Council service priorities are pretty much in alignment with what the HRSA representatives discussed during their site visit. A report from HRSA will be forthcoming.

John Saperro has taken a temporary position with Planning Council Support. He is on a temporary leave of absence with the Planning Council to avoid any potential or perceived conflict of interest.

Mark discussed that Donna Bryant, Planning Council Chair, announced a re-alignment of committee Chairs for the Allocations, Membership and Rules committees, without any notice to the existing Chairs and effective immediately. There was discussion regarding the timing of the Chair changes with the grant application and potential committee policy conflicts, but the changes were effective last Friday. Dismissed were Mark Kezios, Chair of Allocations, Larry Stahli, Chair of Membership, and Eric Moore, Chair of Rules. Mark thanked these people for their hard work and efforts.

The new Chairs are Louie Tapia, Chair for Allocations, John Murray, Chair for Membership and Nova Lawson as Chair for Rules.

Questions concerning whether there was advance notice of the changes and whether the Chair had the authority to do this were voiced. Mark answered that there was no advance notice of the changes and that the Chair has the authority to appoint Committee Chairs at any time.

A guest asked for clarification concerning service providers Chairing the Allocations Committee. Was this true (providers as Chairs) for all committees or only Allocations? Acting Planning Council Support related that the Bylaws do not prohibit a service provider from being the Chair of any committee - this was a "gentlemen's agreement" between the Council and service providers to avoid any real or perceived conflict of interest.

It was noted that a former Chair had been removed in a similar manner, and that the wording of the Bylaws concerning this ability were vague.

Deborah Frusciano voiced issues with the fact that there was no continuity with the Council; there were Chairs who were doing a wonderful job that were released with no due process. She appealed to the Council to develop a plan review and update the Bylaws.

Tara Radke asked if the changes coincided with HRSA's site visit. Mark related that this information had not been provided in the Executive Meeting.

John Murray suggested that we wait until Donna returned to discuss it further.

Dr. Weisbuch discussed that he saw that the Bylaws allowed the Chair to appoint committee Chairs, but that he saw nothing that says she can remove them. He felt that a standard rule of procedure for organizations like the Planning Council was that they always have the right to overrule a decision of the Chair.

Jim Reed noted that the Bylaws state it is a power of the Chair to appoint people, but it was never clear when those circumstances were or when those appointments should occur. He was concerned that, for something as serious as moving Chairs, particularly more than one at the same time, it presumes that there should be cause, and that the purpose of the Bylaws is the maintain the functionality of the Council.

Nova Lawson discussed that this is something the Rules Committee to address, should someone wish to pursue it.

Debby Elliott expressed concern that the Council is trying to remain client focused in its membership and in it's efforts, and that the Council should be concerned that two consumers where replaced as Committee Chairs. She felt it was disrespectful from a consumer perspective. She also thought that at the current stage of allocations, it did not serve the committee well to be changing Chairs.

An unidentifiable attendee suggested that the meeting move on, since the Planning Council Chair was not present to discuss the issue. Jim Reed responded that it is the Chair's responsibility to be at the meeting and that discussion should not be suspended because she is not here.

**MOTION:** Jim Reed motioned that the Council reinstate the Chairs that were removed from their committees pending further discussion, and until the Council confirms the removal of these committee Chairs by the Chair of the Planning Council. The motion was seconded by Larry Stahl.

**DISCUSSION:** Nova Lawson voiced a point of order that contested that the Chair is within her authority and suggested that the discussion be concluded when the Chair can be present.

Deborah Frusciano responded that the grievance procedure outlined in the Bylaws had to occur within a certain number of days; if we wait until the next Planning Council meeting to discuss this, it's past that time.

John Murray suggested that we wait until we receive clarification from the Chair and suggested scheduling a special meeting to talk with her about the issue.

Jim Reed discussed that the point of his motion simply preserved the status quo right now and keeps the current Committee Chairs in place.

Randall discussed that Donna indicated that she would return in around 40 days.

Tara Radke made a friendly amendment to the motion that the Council use a secret ballot when voting. Jim and Larry accepted and amended the motion.

Nova Lawson reiterated that this item be deferred until there can be further clarification to satisfy both sides of the debate. Mark responded that the Chair of the meeting, according to Robert's Rules, cannot defer the item because a motion has been made and seconded.

A guest expressed his feelings about the issue and suggested the Planning Council Chair be contacted via phone to clarify her reasoning. Mark responded that this was attempted but that the equipment was not compatible with the phone system of the meeting room.

Jim Reed clarified that his motion was on the floor, and that his motion presumes that there is nothing in the Bylaws right now that says the Planning Council Chair can remove the Chairs of these committees. John Murray countered that this seemed a legal technicality. Jim responded that there are a lot of opportunities for appointing new Chairs in the absence of removing them, such as people quitting. John replied that Donna may have cause to remove them that we don't know about. Jim responded that right now, in the Bylaws, there is nothing that says Donna can remove the Committee Chairs, even for cause.

Dr. Weisbuch discussed that the Council had to go with what was written in the Bylaws. He expressed that in order for the process to work most efficiently, we would want to continue the process the way it was until the Planning Council knows what the reasons behind the changes were.

Nova Lawson voiced she felt it was inappropriate for the Administrative Agent to be discussing a motion that is on the floor, and felt we needed to go back to our Bylaws to seriously think about

this issue. She also questioned whether a motion can be made in the absence of an officer, according to Robert's Rules of Order.

Christopher O'Reilly discussed that Robert's Rules are very clear that motions cannot be made without the officers in place being asked for their position. Jim Reed voiced that the PC Bylaws specifically say that the Vice Chair, can, in the absence of the Chair, preside over regularly scheduled meetings.

Christopher O'Reilly remarked that Mark was setting a precedent and that Robert's Rules of Order were very clear. Nova Lawson quoted the Bylaws, Article 17: All meetings of the Council shall be conducted in accordance with the then most recent edition of Roberts Rules of Order. Jim Reed stated that Roberts Rules of Order and HRSA guidelines commit us to create our own Bylaws to govern the conduct of meetings. He reminded the Council that we have an acting executive in place and that it was not our fault the Chair was not here.

An unidentifiable attendee called the question.

Jim Reed restated the motion: That until Donna is able to return and explain the reasons - the basis - for the removal of the Committee Chairs, that the removal of those committee Chairs as described today be held in abeyance and we maintain the Chairs of the respective committees.

Mark stated, "Much to my dismay, there are several issues that we've discussed, and probably are going to be discussing. This is a distraction from our main objective - we all have to remember that we're here to provide services with HIV/AIDS and remember what the Care Act is all about. I believe in my heart that we all share these same views and goals. It's principles before personalities. We all care, that's why we're here today. Please, don't let these challenging times discourage your enthusiasm and dedication to the cause. We will remain doing our best. Tough times don't last; tough people do. Let's tackle these obstacles and get back on track – that track being people living with AIDS, period. That's what we're here for; to provide the necessary services for people living with AIDS and HIV."

Debbie Elliott asked for clarification about the vote. Jim Reed responded that a Yes vote supported the motion; a No vote did not.

**OUTCOME:** The motion passed. This was announced later in the meeting (see below).

- **Needs Assessment update:** Larry Stahli informed us that the committee is in full force and that they recently passed out questionnaires at the July 30<sup>th</sup> and 31<sup>st</sup> Dr. Scott event. They received about 150 questionnaires back. He also discussed that they should have the data by the next Allocations committee meeting.

Nova Lawson motioned that the results of the previous vote be ignored based on a technicality that three points of order were called prior to the motion being submitted and that it is a violation of Robert's Rules of Order that would nullify the vote. John Murray seconded.

Mark discussed that Arizona open meeting laws state that we cannot discuss the topic further, as the vote was in progress and a new agenda item had begun discussion. The motion was not acted on.

The Spanish-language translator asked for a break to re-explain the previous motion to the members who were using her service. A five-minute break was called.

Upon return, the earlier motion was restated so that the members and guests who were utilizing translation services could complete their secret ballots.

- **Washington DC All Titles meeting:** Michelle Barker and Robert Horton will be representing the Council at the All Titles meeting on August 23<sup>rd</sup> through the 26<sup>th</sup>, and will provide an update when they get back. Michelle discussed that the HRSA website had information about the conference. Acting Planning Council Support discussed that an email had recently been sent to all members with the website link for the conference and offered to re-send it.
- **People of Color Symposium:** There was no one update at this time.

## COMMITTEE UPDATES

- **Allocations:** Mark announced that he and Louie Tapia would continue to work together during this transitional stage and had conferred during the break as to what the committee was working on. Louie discussed that the Council needed to reallocate \$12,000 of MAI funds to behavioral health services.

**MOTION:** Larry Stahl motioned to reallocate \$12,000 of MAI funds from African-American Targeted Outreach to Behavioral Health. The motion was seconded.

**DISCUSSION:** There was no discussion.

**OUTCOME:** The motion passed.

The next Allocations meeting will be rescheduled to Thursday, August 26<sup>th</sup>, 2004, 11:30 am to 1:30 pm, so that Dr. Valdez can share her focus group data with the committee. Louie stated that he would discuss changing the times for Allocations meetings so that more consumers could participate. Louie stated that the meeting would be held at Care Directions. Debby Elliott made a correction stating that it is actually the Area Agency on Aging conference room we meet in.

- **Community Planning and Assessment:** There was no update.
- **Consumer Advocacy Committee:** Cynthia stated that the committee has not met this month and will meet next month.
- **Evaluation:** No update was provided.
- **Assessment of the Administrative Mechanism Update:** Cynthia informed everyone that immediately following the meeting she would be having a workgroup and stated that anyone and everyone is welcome to join. She explained that it was very important because the Grantee will need this information to complete the grant application.

David Paquette discussed what the evaluation entailed and why it was important to make sure the evaluation was completed in a timely matter.

- **Membership:** Larry Stahl stated that there were membership applications to view, but they tabled it to the next meeting because they did not have an updated version of the membership matrix. There are two members with voluntary resignations by absence. We had one voluntary resignation, and John Saperio is on a temporary leave. Additionally, one member had passed away, so the Council is now down to 35 people. Larry discussed that it was also suggested that John Murray could not view membership applications until October, because of the committee membership requirements stated in their Policies and Procedures.

John Murray stated that in the meantime, he would be giving Larry as much support as he can and that they would possibly organize a membership drive. Marc Allan commented that he, like other community members, submitted his application to the Council quite some time ago and has yet to have his application for membership reviewed or be updated on its status. He felt there was

no need for a membership drive – the committee already has a backlog of applications. Mark Kezios noted that Planning Council Support has been in a state of flux, and that this has made keeping in touch with community members difficult.

**Rules:** Nova stated that she had not had the privilege of meeting with the past Chair of the Committee but understood that the next Rules Committee meeting would be Wednesday, August 25<sup>th</sup>, 2004 from 12:00 to 2:00 p.m. at the Grunow Building.

Mark asked that a complete committee meeting schedule be produced as soon as possible and distributed the Council. Nova asked that the schedule be posted on the website.

## **CPG UPDATE**

Barr Jenkins announced that the Community Planning Group has a new Director, Mary Leasor, and that she will be starting August 30<sup>th</sup>. He also informed us that she would be attending an all-regional community group meeting on Monday, August 16<sup>th</sup>.

## **MIHS UPDATE**

Jen Leitch reported that Title 4 did get their funding (\$627,980) and noted that David Paquette and many other people in the community were very instrumental in helping them acquire their funding.

At this point in the meeting, Acting Planning Council Support returned from counting the secret ballots of the first motion and presented the results to Mark Kezios. Mark announced that the old Chairs would be continuing in their positions until the issue could be addressed. He discussed that the transitions could still happen and the Council would work together to the best of their abilities.

## **COMMUNITY FORUM**

Tara Radke shared an update on the work of the AIDS Drugs Assistance Program (ADAP). HRSA suggested that a representative share an ADAP update with the Council from this point forward. For July, 821 clients were served at a cost of \$751,839. The average per person is \$916. Maricopa/Pinal Counties had 591 clients utilizing ADAP, Pima County had 155 clients, and all the rest of the counties had 75 clients. Due to confidentiality requirements, the program does not break down these remaining counties.

David Paquette informed the Council that the Title I formulary is being reviewed. A letter has been sent to every prescribing physician in Maricopa and Pinal County asking for their input. If anyone has input on the Title I formulary, please provide it to David. He reminded all of the service providers to provide input. David was asked if the community had been contacted to offer their opinion. He responded that they had not, but that anyone wishing to do so could contact him.

Cynthia discussed that the HRSA representatives who recently visited strongly recommended that six service categories be fully funded: primary care, pharmaceuticals, substance abuse, mental health, case management and dental.

## **CALL TO THE PUBLIC**

Sharyn Grayson spoke on behalf of the AAHERC event that was held on both July 30<sup>th</sup> and the 31<sup>st</sup>. She expressed her gratitude to everyone who participated and discussed that 226 people had attended and that 196 surveys for the Consumer Advocacy Committee were completed.

Miranda Graves announced that there will be a coalition meeting on September 28<sup>th</sup>, 2004 and that the funding for AAHIS will be coming to an end as of September 29<sup>th</sup>.

James Bryant encouraged support and awareness for his support group at Ebony House.

Harvey Miller asked for a training session to be created so that he could better understand the process of the Planning Council and the voting system we.

Rosie from Chicanos Por La Causa described the Exceed meetings that CPLC is having. Their goal is to invite someone from the Planning Council to come and speak to the group about what the Council is and does, so that community people can actively participate in our meetings. The next meeting is on September 9<sup>th</sup> at Chicanos Por La Causa, at 5 pm. Louie explained that this group was formed to educate the community about such things as the Planning Council, epi reports, etc.

<b>ADJOURN</b>
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The meeting adjourned at 5:45 p.m.